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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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James W. Taylor

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EXAMINER

APPLE, KIRSTEN SACHWITZ

ART UNIT

PAPER NUMBER

3693

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/872,447	Applicant(s) TAYLOR ET AL.	
	Examiner Kirsten S. Apple	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10.4.06
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The Examiner has read and reviewed all of the information provided by the Applicant.

The examiner withdraws the rejection of claims 1-71 under 35 USC 102.

Claim Rejections - 35 USC § 103

The Examiner has read and reviewed all of the information provided by the Applicant.

The examiner rejects as final claims 1-71 under 35 USC 103.

The Applicant attention is re-drawn to the following:

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-71 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker (US Patent 6,088,686) in view of Eliason (Online Business Computer Applicants Book ISBN: 0-02-332-461-9).

Re claim 1 & 32 & 43 & 57: Walker discloses:

A method & system of offering a financial product to a customer, comprising:

Maintaining a web site (see Walker, paragraph 36, "on-line processing")

Receiving identification information regarding the customer over a network connection
(see Walker, Figure 40, Item 2002)

Forwarding the ID information to a financial institution adapted to determine if the customer qualifies for the offer of the financial product (see Walker, Figure 40, Item 2004)

Retrieving data related to the identification information (see Walker, Figure 40, Item 2006)

Determining if the customer qualifies to receive an offer of financial product in response to the retrieved data (see Walker, Figure 42, Item 2054)

Offering the financial product to the customer if the customer qualifies (see Walker, Figure 51, Item 2252)

Wherein the acts of receiving, retrieving and determining and offering occur in real-time (see Walker, abstract, "real-time")

Claim 43 also includes:

a first interface received customer info (see Walker, Figure 1A, Item 50)

a second interface received ID info (see Walker, Figure 1B, Item 54)

a processor coupled to interfaces (see Walker, Figure 1B, Item 26)

Although Walker does not have Automation through a web site, Eliason claims "Automation through a web site"

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add Automation through a web site as taught in Eliason to Walker.

It is clear that one would be motivated because of greater efficiency.

Re claim 2 & 4: Walker discloses:

while/in parallel to the customer is conducting a transaction (see Walker, Figure 1A, Item 14)

Re claim 3 & 5: Walker discloses:

The transaction is conducted on-line or via telephone (see Walker, paragraph 36, "on-line processing" it is inherent that transaction is over a communication medium such as a telephone)

Re claim 6 & 44: Walker discloses:

ID info is received directly from the customer (see Walker, figure 1A, item 10)

Re claim 7: Walker discloses:

ID info is received from an entity other than the customer (see Walker, Figure 1A, item 12)

Re claim 8: Walker discloses:

Entity is a merchant that sells products or services (see Walker, Figure 1A, item 12)

Re claim 9 & 33 & 45 & 58: Walker discloses:

ID info is any info that personally ID the customer

The examiner claim that it is inherent that ID info is any info that personally ID the customer

Re claim 10 & 34 & 46 & 59: Walker discloses:

ID info in selected from the group consisting of: Name, address, Social Security, account ID number, Password, computer ID tag, and any combination thereof. (see Walker, paragraph 20, "social security number")

Re claim 11 & 47 & 60: Walker discloses:

Obtaining at least a portion of the data from external sources/database (see Walker, Figure 1B, item 54)

Re claim 12 & 48 & 61: Walker discloses:

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External source/database is at least on credit bureau (see Walker, Figure 1B, item 28)

Re claim 13 & 62: Walker discloses:

Data includes credit related data (see Walker, Figure 1B, item 28)

Re claim 14: Walker discloses:

Credit related data contains FICO scores data, delinquency data, credit activity data and credit history data. (see Walker, Column 19, line 33)

Re claim 15: Walker discloses:

Data includes demographic data (see Walker, Column 20, line 13)

Re claim 16: Walker discloses:

Demographic data contains info related to residence, income, household make-up and lifestyle of the customer

It is inherent that demographic data contains residence, income, household make-up and lifestyle of the customer

Re claim 17 & 35 & 50 & 63: Walker discloses:

Customer is a person

It is inherent that a customer would include a entity such as a person or business

Re claim 18 & 23 & 36 & 51 & 54 & 64 & 67: Walker discloses:

Offer a credit card, a overdraft product, a mortgage, a mortgage refinancing, an auto loan, a student loan, a personal loan, insurance, a home equity loan, a credit line extension or a margin lending product. (see Walker, Figure 42, item 2084)

Re claim 19 & 52 & 65: Walker discloses:

The step of offering the financial product includes offering financial product packages

Re claim 20: Walker discloses:

*Customizing each of the financial product packages for a customer based on the data
(see Walker, Figure 49, item 2208)*

Re claim 21: Walker discloses:

*Grouping each of the financial product packages into conservative, normal or flexible
financial product packages. (see Walker, Figure 49, item 2208 & Figure 51, item 2252)*

Re claim 22 & 53 & 66: Walker discloses:

Customer is a business

It is inherent that a customer would include a entity such as a person or business

Re claim 24 & 37: Walker discloses:

Receiving a response to the offer (see Walker, Figure 51, item 2254)

Re claim 25 & 38: Walker discloses:

*Response occurs in real-time (before completion on web site) (see Walker, abstract,
"real-time")*

Re claim 26 & 39: Walker discloses:

Response is acceptance or refusal (see Walker, Figure 51, item 2254, "yes" or "no")

Re claim 27 & 40: Walker discloses:

*Financial product is immediately usable by the customer after receiving the acceptance
of the offer without the need to again qualify the customer based on the retrieved data (see
Walker, Figure 51, item 2256 and Figure 1B, Item 40)*

Re claim 28 & 41: Walker discloses:

Verify the ID of the customer after receiving the acceptance of the offer before the financial product is immediately usable by the customer (see Walker, Figure 51, item 2258 and Figure 1B, Item 40)

Re claim 29 & 56: Walker discloses:

Step of offering the financial product is performed by an entity other than performing the step of determining if the customer qualifies for the offer (see Walker, Figure 1B, item 58)

Re claim 30 & 55 & 68: Walker discloses:

Step of retrieving data (by third interface) and determining if the customer qualifies (processor) are performed by a financial institution (see Walker, Figure 1B, Item 58 & 60)

Re claim 31 & 42 & 69: Walker discloses:

Financial institution is a bank, credit union or saving & loan organization. (see Walker, Figure 1B, Item 58 & 60)

Response to Arguments

Applicant's arguments filed 10/4/2006 have been fully considered but they are not persuasive.

In particular, and respect to Claim 1 the Applicant argued 1st: "Walker does not disclose 'receiving ID information regarding the customer from a web site over a network connection'"

The Examiner refutes the argument made by the Applicant and draws the attention to Walker 1 figure 14. This clearly depicts the ID information being obtained. The applicant further argues that this is not over a "web site." It is clear in this art that automating a process over a web site is not unique. It would have been know to one of ordinary skill in the art at the time of the invention that automating the ID collection process with a web site is obvious. The examiner has added reference Eliason to clearly depict this feature.

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Applicants argued 2nd, with regards to claims 43 & 57 that Walker does not disclose a web site (specifically "element 54 is not a web site")

The Examiner refutes the argument made by the Applicant and draws the attention to Eliason, which clearly teaches automating know business processes on-line.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

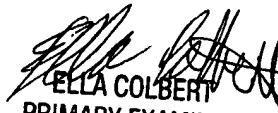
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 7:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa


ELLA COLBERT
PRIMARY EXAMINER